



# INDUSTRY CIRCULAR

DEPARTMENT OF  
THE TREASURY

Bureau of Alcohol, Tobacco and Firearms  
Washington, D.C. 20226

Number: 75-10

Date: September 22, 1975

## EXPLOSIVES APPLICATIONS AND EXPLOSIVES STORAGE FACILITIES

Explosives licensees and permittees,  
and others concerned:

The purpose of this Industry Circular is to advise you of an ATF Procedure to be published soon in the ATF Bulletin. The procedure reads substantially as follows:

ATF Proc. 75-4

### Section 1. PURPOSE.

This ATF Procedure prescribes additional information required to be submitted by applicants intending to store explosive materials.

### Sec. 2. BACKGROUND.

.01 Title XI of Public Law 91-452 (18 U.S.C. Chapter 40) establishes Federal control over explosive materials. Part 181 of Title 27, Code of Federal Regulations, contains the regulations which implement Title XI. The Commerce in Explosives regulations were recodified from 26 CFR Part 181 into 27 CFR Part 181 on April 15, 1975.

.02 The Director has determined that additional descriptive information of explosives storage facilities is required in order to insure compliance with law and regulations. Accordingly, Form 4705, Application for License, and Form 4707, Application for Permit, have been revised.

### Sec. 3. LICENSES.

A person intending to engage in business as an importer, a manufacturer of, or a dealer in, explosive materials shall complete Form 4705, Application for License, in accordance with the instructions on the form, and forward the forms with the license fee to the office specified on the form. If approved, the Regional Director (ATF) will issue a license and return a copy of the application to the applicant. At the time of renewal of a license the Regional Director may require the licensee to file a new or amended application, or additional descriptive pages to be attached to the application, upon a determination that the licensee's currently approved application is inaccurate or does not fully describe the storage facilities. If the application is denied, the applicant will be advised in writing of the reasons for the denial.

#### Sec. 4. PERMITS.

A person intending to acquire, transport, ship, import or receive explosive materials in interstate or foreign commerce for his own use and not for resale shall complete Form 4707, Application for Permit, in accordance with the instructions on the form and forward the forms with the permit fee to the office specified on the form. If approved the Regional Director (ATF) will issue a permit and return a copy of the application to the applicant. At the time of renewal of a permit the Regional Director may require the permittee to file a new or amended application, or additional descriptive pages to be attached to the application, upon a determination that the permittee's currently approved application is inaccurate or does not fully describe the storage facilities. If the application is denied, the applicant will be advised in writing of the reasons for the denial.

#### Sec. 5. STORAGE.

.01 If explosive materials are to be stored, the requirements of 27 CFR Part 181, Subpart J- Storage, must be complied with before the application will be approved. An applicant for a license or permit who intends to store explosive materials shall fully describe the intended storage facilities to support the applicant's affirmation that the storage facilities meet the requirements set forth in 27 CFR Part 181, Subpart J- Storage.

.02 The description should, as a minimum, include the following information:

- (a) The type of magazine (building, igloo, tunnel, portable box, portable trailer, etc.).
- (b) The location and distance from applicant's place of business.
- (c) The distance to the next nearest storage magazine.
- (d) A description of significant terrain features and physical structures, such as buildings, roads, utilities and other facilities which could be damaged if the magazine exploded. Indicate the distance between the magazine and the feature.
- (e) The materials (including dimensions and thicknesses) used for the structure (e.g. concrete, corrugated iron over wood, plywood, tin and earth, etc.).
- (f) The security, physical safeguards, locks, safety equipment, and anti-theft measures.
- (g) The dimensions and capacity of each magazine.

- (h) The class of explosive materials to be stored in each magazine.
- (i) The owner(s) of the magazine, if other than the applicant.
- (j) The names and telephone numbers of individuals who could open the magazines for inspection by ATF officers.
- (k) Any special conditions, such as inaccessibility in winter, etc.

Sec. 6. EFFECTIVE DATE.

The effective date of this procedure is November 1, 1975.

Sec. 7. INQUIRIES.

Inquiries regarding this ATF Procedure should refer to its number and be addressed to the office of your Regional Director.

*Rex D. Davis*

Rex D. Davis  
Director